

labeling of the article contained false and misleading statements. The statements represented and suggested that the article was effective in the treatment of shoats and gilts, where digestive disorders exist; that it was effective for pig and stock hog conditioning; for all types of unthrifty and backward conditions; for pigs when they go off their feed; for all types of horses in a weakened run-down condition; and for all types of sheep; and, further, that it was effective in the treatment of out-of-condition animals and poultry, and for flushing out birds when in a run-down condition. The article would not be effective in the treatment of such diseases and conditions.

Poultrate. Misbranding, Section 502 (a), the labeling of the article contained statements and designs which were false and misleading. The statements and designs represented and suggested that the article was effective in the prevention and treatment of coccidiosis, worms, cholera, typhoid, colds, roup, tuberculosis, and blackhead of poultry. The article when used as directed would not be effective for such purposes.

Fox Special No. 7. Misbranding, Section 502 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents; Section 502 (e) (2), the label of the article failed to bear the common or usual name of each active ingredient; and, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use.

Vetrone. Misbranding, Section 502 (a), the labeling of the article contained false and misleading statements. The statements represented and suggested that the article was effective in the prevention and treatment of diseases of poultry, hogs, and dairy cows. The article would not be effective for such diseases.

Fox Triumph Swine Liquid. Misbranding, Section 502 (a), the can label of the article bore false and misleading statements. The statements represented and suggested that the article when used in connection with *Fox No. 1 Mineral Feed*, would be of value in the prevention and treatment of diseased conditions of swine and would be effective in alkalinizing the intestinal tract of swine. The article would not be of value or effective for such purposes.

DISPOSITION: November 10, 1948. Foxbilt Feeds, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the products were ordered released under bond for reprocessing and relabeling, under the supervision of the Federal Security Agency.

✓ 2597. Misbranding of Calfurdine. U. S. v. 29 Bottles * * * (and 1 other seizure action). (F. D. C. Nos. 25359, 25515. Sample Nos. 28187-K, 29910-K.)

LIBELS FILED: August 23 and September 8, 1948, District of New Mexico.

ALLEGED SHIPMENT: By the Germ-O-Tone Laboratories, from Phoenix, Ariz. The product was shipped on or about December 16 and 24, 1947, and a number of circulars were delivered on or about December 15 and 31, 1947.

PRODUCT: *Calfurdine*. 58 bottles at Roswell, N. Mex., and 130 bottles and 17 jugs at Albuquerque, N. Mex., together with a number of circulars relating to the product entitled "Important Information Published For: Poultrymen Rabbitries Livestock Producers Pet & Game Bird Raisers and Fur Bearing Animal Farms." The bottles were in 8-ounce, 16-ounce, and 32-ounce sizes, and the jugs were in ½-gallon and 1-gallon sizes.

LABEL, IN PART: "Flowers of Sulfur . . . 0.09 Iodine . . . 0.04 Lime . . . 1.39 (Total Sulfur . . . 3.08) Calcium Thio-Sulphate . . . 0.68 Calcium Polysulphide . . . 2.31 Potassium nitrate . . . 0.79 Inert . . . 94.70."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label of the article and in the circulars were false and misleading since they represented and suggested that the article when used as directed was effective in the prevention and treatment of external and internal parasitic infestations and other diseased conditions of animals, whereas the article when used as directed would not be effective for such purposes.

DISPOSITION: September 28 and October 11, 1948. Default decrees of condemnation and destruction.

2598. Misbranding of poultry tonic. U. S. v. 9 Jars, etc. (F. D. C. No. 24312. Sample No. 14452-K.)

LABEL FILED: February 3, 1948, Northern District of Illinois.

ALLEGED SHIPMENT: On or about November 21, 1947, by O. J. Mayfield, from Charles City, Iowa.

PRODUCT: 9 1-pound jars and 9 5-pound drums of *poultry tonic* at Arlington Heights, Ill. Analysis showed that the product consisted essentially of the ingredients declared on its label, namely, iron oxide, arsenic trioxide, copper sulfate, and small amounts of aluminum, manganese, and cobalt sulfates, magnesium carbonate, potassium iodide, and plant ingredients.

LABEL, IN PART: "Dr. Mayfield Poultry Tonic * * * Manufactured Under Direction of O. J. Mayfield, D. V. M., Charles City, Iowa."

NATURE OF CHARGE: Misbranding, Section 502 (a), the following label statements were false and misleading: "POULTRY TONIC Use as a tonic for chicks and poults—as an aid in the control of *Monelia* sp. moulds." The statements represented and suggested that the article was a poultry tonic and was effective as a tonic for chicks and poults, and that the article was effective to inhibit and prevent the growth of *Monelia* species molds and was effective in the treatment of mycosis due to *Monelia* species molds. The article was not a poultry tonic and was not effective for the purposes stated and implied.

DISPOSITION: November 5, 1948. Default decree of condemnation and destruction.

2599. Misbranding of Chexit. U. S. v. 11 Bottles, etc. (F. D. C. No. 24903. Sample No. 20501-K.)

LABEL FILED: On or about July 6, 1948, Western District of Missouri.

ALLEGED SHIPMENT: On or about March 8, 1948, by United Farmers Exchange, from Council Bluffs, Iowa.

PRODUCT: 11 3-pound bottles and 46 1-pound bottles of *Chexit* at Excelsior Springs, Mo. Analysis showed that the product consisted chiefly of calcium carbonate, powdered nux vomica, poke root, ginger, fenugreek, and potassium iodide.

LABEL, IN PART: "Chexit for Livestock Demulcent Anti-Acid Mixture."

NATURE OF CHARGE: Misbranding, Section 502 (a), the name of the article and certain statements on its label were false and misleading since such name and statements represented and suggested that the article when used as directed was effective to check disease conditions of calves, lambs, colts, kids, sows with suckling pigs, milch cows, and steers, and that the article was a demulcent tonic and a tonic to the appetite of animals. The article when used as directed was not effective to check disease conditions of the animals mentioned, and it was not a demulcent tonic nor a tonic to the appetite of animals.

DISPOSITION: October 26, 1948. Default decree of destruction.